THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.10455 of 2001

ORDER:

The petitioners, who claim to be the contract workers worked for the respondent APCPDC Limited, filed this writ petition being aggrieved by the action of the respondents in not accepting their applications calling for interviews for the post of LDC/Sub-Engineers, scheduled to be held on or after 12.05.2001 in terms of BPMS No.36, dated 18.05.1997 and in pursuance to the orders of this court in WP.No.5064 of 1999, dated 18.11.1999 and orders of the Apex Court in SLP No.13766 of 1997, dated 15.03.1999 for filling up 50% of quota on or before 18.05.1997, and consequently direct the respondent to consider their cases in terms of BPMS No.36, dated 18.05.1997.

The case of the petitioners is that they all worked as contract labours before 18.05.1997. The respondent issued Notification dated 11.03.2001 to fill up posts of LDC/Sub-Engineers under 50% quota, earmarked for ex-casual labours/village electricity workers/contract labours in the respondent board. Accordingly, the petitioners have applied for the posts of LDC/Sub-Engineers, but they were not called for interviews, on the ground that they have not fulfilled the guidelines of the respondent board.

The counsel for the petitioners has submitted that in similar batch of cases this court directed the respondents to consider the cases of the contract labours, as per BPMS Nos.36 & 37, dated 18.05.1997, and he furnished a copy of similar order, dated 24.12.1998 passed in W.P.No.22232 of 1998.

Following the order passed in WP.No.1549 of 1998, this court allowed W.P.No.22232 of 1998, observing that the stand taken by the respondents in rejecting the claim of the petitioners therein that they were not engaged by the licenced contractors cannot be sustained and accordingly, directed the respondents to consider the claims of the petitioners therein for absorption in terms of B.P.Ms.No.36 and 37, dated 18.05.1997 without disqualifying them solely on the ground that they were engaged by unlicenced contractors.

Following the ratio laid down in W.P.No.22232 of 1998, this writ petition is disposed of, directing the respondent to consider the cases of the petitioners in terms of B.P.Ms.No.36, dated 18.05.1997. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.GANGA RAO,J

Date: 28.06.2018
Dsr